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Attorney Docket No. 9342-38
Application Serial No. 10/531,223
Filed: April 13, 2005
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REMARKS**I. Status of the Claims**

This Amendment and Response is submitted in reply to the Official Action dated August 10, 2006 (the Action). Claims 1-20 were pending at the time of the Action. Claims 21 and 22 are new.

The Action rejects Claims 1-20 as being anticipated by U. S. Patent Publication No. 2004/0198470 to Dyer (Dyer). Applicants respectfully submit that Claims 1-22 are patentable over Dyer in view of the amendments above and the remarks that follow.

II. Claims 1-22 are Patentable over Dyer**A. Independent Claims 1, 14 and 22**

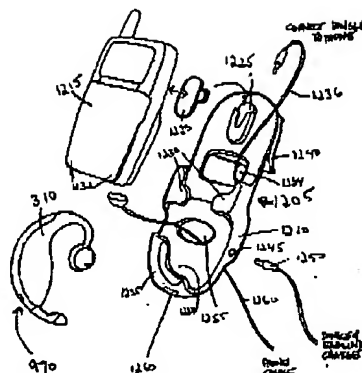
Claim 1 recites a headset system including:

- a headset for direct wireless communication of audio data with a communication terminal and including a first power supply unit;
- a headset carrying device; and
- a charger for charging the first power supply unit from a second power supply unit, wherein the headset carrying device comprises the charger and the second power supply unit, and wherein the headset carrying device is separate from the communication terminal and is devoid of a holding member or chamber for holding the communications device.

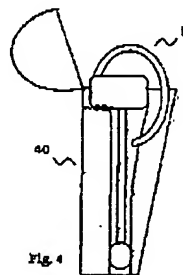
Independent Claim 14 also recites that the headset carrying device is devoid of a holding member or chamber for holding the communications device.

Dyer discusses that the dongle 1205 of Figure 12 (cited in the action) not only functions as a transceiver, but also provides a variety of other functions, such as being formed to hold a wireless headset and phone (see paragraph 28). However, Dyer does not teach or suggest a headset carrying device that is devoid of a holding member or chamber for holding the communications device as recited in Claims 1 and 14. In particular, the dongle 1205 of Figure 12 (below) is configured to hold and carry both the external device or phone 1215 and the headset 310. See paragraph 52.

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In contrast, the headset carrying device recited in Claims 1 and 14 is devoid of a holding member or chamber for holding the communications device, and may be carried separately from the communications device with which the headset communicates. As discussed in paragraph 48 of the current application, by providing a headset carrying device which is separate from the communication terminal, and which may have a protective casing, a headset system according to embodiments of the invention may be easy to use due to the low weight of the headset, and provide safe and easy storage during non-use and transport, while also having a long battery time. An example of such a compact design is illustrated in Figure 4 of the current application, which is reproduced below:



Dyer teaches away from a headset carrying device because Dyer apparently uses the same dongle to charge the headset and the phone. See paragraph 36.

For at least these reasons, Applicants submit that independent Claims 1 and 14 are not anticipated by Dyer. Claims 2-13, 15-20 and 22 are patentable at least per the claims from which they depend. Applicants request the withdrawal of the rejections of such claims under § 102.

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B. Claim 21 is Patentable over Dyer

New Claim 21 recites a headset system including:

- a headset for direct wireless communication of audio data with a communication terminal and including a first power supply unit;
- a headset carrying device configured to hold at least a portion of the headset therein; and
- a charger for charging the first power supply unit from a second power supply unit, wherein the headset carrying device comprises the charger and the second power supply unit, wherein the headset carrying device is separate from the communication terminal and is configured to carry substantially only the charger, the second power supply unit, and the headset with the first power supply unit.

As discussed above, Dyer proposes a dongle 1205 that is configured to hold and carry both the external device or phone 1215 and the headset 310. Therefore, the device of Dyer is not configured to carry substantially only the headset as recited in Claim 21. Accordingly, Applicants request that Claim 21 proceed to allowance.

C. Claim 22 is Patentable over Dyer

Claim 22 depends from Claim 1 and is patentable for the reasons discussed above with respect to Claim 1. In addition, Claim 22 is separately patentable at least for the reasons that follow. Claim 22 recites

- the headset carrying device comprises a compact case sized and configured so that a boundary of the compact case substantially corresponds to a length and/or a width of the headset, the compact case having an elongated bore configured to receive a first portion of the headset therein and a lid pivotally hinged on the case and movable between an open and a closed position, the lid being configured to enclose a second portion of the headset when the lid is in the closed position.

Support for Claim 22 can be found, for example, in Figures 3-5 and Figures 9-11 of the current application and in the Specification on page 10, line 32 through page 11, line 13.

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Applicants submit that Dyer does not teach or suggest the configuration of Claim 22 and request that Claim 22 proceed to allowance.

CONCLUSION

Accordingly, Applicants submit that the present application is in condition for allowance and the same is earnestly solicited. Should the Examiner have any matters outstanding of resolution, he is encouraged to telephone the undersigned at 919-854-1400 for expeditious handling.

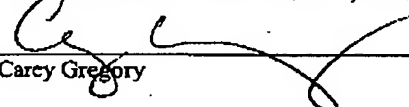
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I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office on November 13, 2006.


Carey Gregory